

REPORT BY DETECTIVE BURNS EXPECTED TODAY

If Detective William J. Burns returns to Atlanta today—as expected—it is likely that his report on the investigation of the Frank case will be submitted tonight and published Sunday morning. Nothing has been given out yet of the detective’s mysterious out-of-town trip. Officials of his organization said yesterday, however, that he was expected back at any time Saturday.

The report is now in process of formation. Various angles of the evidence said to have been unearthed by the noted sleuth and his assistants have been put in the shape of supplements, which will form the main body of the report.

Regarding the motion by Attorney John L. Tye to set aside the Frank verdict on grounds that the prisoner, in not being present at the return of the jury’s decision; was deprived of his constitutional rights, Attorney Frank Hooper, who was associated with the prosecution during the convicted man’s trial, made this statement yesterday to a reporter for *The Constitution*.

“My connection with the Frank case ceased when it was decided by the Supreme Court. However, as to the incident of the

defendant's absence at the time the verdict was received, I will say that in a conference with Judge Roan during the trial, I told him I thought it best for the defendant to agree personally to waive his presence, and I doubted that his counsel's consent was sufficient. The judge told me that he so understood, and that the defendant's personal waiver had been or would be obtained. I supposed, of course, that it had been obtained, and was surprised to see a denial of this in the extraordinary motion filed yesterday. The solicitor and myself were attempting to guard this point, and for that reason I mentioned the matter to the judge."
